

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the subject application. The Office Action of October 7, 2003 has been received and contents carefully reviewed. Applicant gratefully acknowledges the Examiner's indication of allowable subject matter in claim 5.

By this Amendment, Applicant amends claims 18 and 19 and cancels claim 5 without disclaiming the underlying subject matter. Claims 13-17 have been withdrawn as the result of an earlier restriction requirement. Accordingly, claims 1-4 and 6-19 are currently pending in the present application. Reexamination and reconsideration of the application are respectfully requested.

In the Office Action, the Examiner rejected claims 1-12 and 18-19 under 35 U.S.C. §103(a) as being unpatentable over Kuwabara et al. (JP 409283441) in further view of the the Related Art described at pages 3-5 and FIGS. 2-5 of the present application ("Related Art"). Applicant respectfully traverses this rejection.

Claim 1 is allowable over the cited references in that claim 1 recites a combination of elements including, for example, "melting *only an upper portion* of the polycrystalline silicon layer using the laser beam with the mask thereby recrystallizing the upper portion of the polycrystalline silicon layer..." [emphasis added] None of the cited references, singly or in combination, teaches or suggests at least this feature of the claimed invention. Accordingly, Applicant respectfully submits that claim 1 and claims 2-4 and 6, which depend therefrom, are allowable over the cited references.

Applicant respectfully submits that to establish a prima facie case of obviousness under 35 U.S.C. § 103, the prior art references when combined must at least teach or suggest all the claim elements. See M.P.E.P. § 2143.03. Applicant respectfully submits that neither Kuwabara et al. nor the Applicant's Related Art teaches or suggests the recited element above.

Applicant further respectfully submits that there is no motivation for one of ordinary skill to combine the cited references and arrive at the claimed invention with any reasonable expectation of success. See M.P.E.P. § 2143.01. First of all, Applicant respectfully submits that there is no suggestion or motivation in Kuwabara et al. and the Applicant's Related Art to

modify the reference or to combine reference teachings and to arrive at the claimed invention with any reasonable expectation of success. Secondly, Applicant respectfully submits that, as best understood, the main purposes of Kuwabara et al. are to make the size of the grains of the poly-silicon layer formed by a laser annealing larger and more uniform. However, the present invention relates to a so-called "sequential lateral solidification", in which the grains formed by the first laser annealing with a mask already have a uniform and large size without the second laser annealing. Accordingly, Applicant respectfully submits that the Examiners' citation of Kuwabara et al. actually teaches away from the teaching of the Applicant's Related Art.

Claim 7 is allowable over the cited references in that claim 7 recites a combination of elements including, for example, " re-melting only an upper portion of said polycrystalline silicon layer using a laser beam so as to re-crystallize said upper portion, wherein at least some of said re-melting of said upper portion of said polycrystalline silicon layer is performed as said amorphous silicon layer is melted." None of the cited references, singly or in combination, teaches or suggests at least this feature of the claimed invention. Accordingly, Applicant respectfully submits that claim 7 and claims 8-12, which depend therefrom, are allowable over the cited references.

Applicant amends claim 18 to incorporate the allowable subject matter (claim 5 prior to this Reply) as indicated by the Examiner in proper form. Thus, Applicant respectfully submits that claim 18 is in condition for immediate allowance.

Claim 19 is allowable over the cited references in that claim 19 recites a combination of elements including, for example, "... wherein the completely melting region of the mask pattern includes a material having a high light transmittance, and the partially melting region of the mask pattern includes a material having a low light transmittance." None of the cited references, singly or in combination, teaches or suggests at least this feature of the claimed invention. Accordingly, Applicant respectfully submits that claim 19 is allowable over the cited references.

Applicant believes the foregoing amendments place the application in condition for allowance and early, favorable action is respectfully solicited. If the Examiner deems that a telephone conference would further the prosecution of this application, the Examiner is invited to call the undersigned attorney at the telephone number (202) 496 - 7500. All correspondence should continue to be sent to the below-listed address.



Application No.: 09/748,871

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If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

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Respectfully submitted,

By 

Rebecca Goldman Rudich

Registration No.: 41,786

MCKENNA LONG & ALDRIDGE LLP

1900 K Street, N.W.

Washington, DC 20006

(202) 496-7500

Attorney for Applicant

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